

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION NO. 514 OF 1998

Sushilbhai B.Khandwala. & another ... Petitioners

Versus

Ahmedabad Municipal Corpn & ors... ... Respondents

Coram:K.R.Vyas,J

16-6-98

Oral Order:

The plaintiffs have challenged the order dated 5-3-98 passed in Civil Suit No. 102 of 1998 rejecting the prayer to appoint a Commissioner.

Having heard the learned Advocates appearing for the parties, *prima facie*, it appears that the request made by the plaintiffs appears to be premature inasmuch as the respondent Corporation has not filed even the written statement. Mr.Marshal, learned Advocate, appearing for the respondent-Corporation, has stated that the Corporation will file its written statement within four weeks from to-day. In view of this, it will be open to the plaintiffs to revive their application application for appointment of Commissioner after the respondent Corporation files its written statement. As and when such an application is filed the same will be considered independently on the materials placed before the trial Court and without in any manner being influenced by this order.

This application stands disposed of accordingly.  
Notice discharged with no order as to costs.

acn (K.R.Vyas,J)